

# House Study Bill 240

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
ADMINISTRATION AND RULES  
BILL BY CHAIRPERSON ROBERTS)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to legislative branch consolidation of functions  
2 by combining the legislative service bureau, legislative  
3 fiscal bureau, and legislative computer support bureau into a  
4 single central legislative staff agency, providing for  
5 legislative publications procedures, modifying the sales tax  
6 exemption for items sold or services provided by the new  
7 agency, including related matters, and providing an effective  
8 date.  
9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
10 TLSB 1164YC 80  
11 rj/cf/24

PAG LIN

1 1 Section 1. NEW SECTION. 2E.1 LEGISLATIVE SERVICES AGENCY  
1 2 CREATED == SERVICES == LEGISLATIVE PRIVILEGES ==  
1 3 NONPARTISANSHIP AND NONADVOCACY.  
1 4 1. A legislative services agency is created as a  
1 5 nonpartisan, central legislative staff agency under the  
1 6 direction and control of the legislative council. The agency  
1 7 shall cooperate with and serve all members of the general  
1 8 assembly, the legislative council, and committees of the  
1 9 general assembly.  
1 10 2. The legislative services agency shall provide the  
1 11 following services:  
1 12 a. Legal and fiscal analysis, including legal drafting  
1 13 services, fiscal analysis of legislation, and state  
1 14 expenditure, revenue, and budget review.  
1 15 b. State government oversight and performance evaluation.  
1 16 c. Staffing of standing committees, revenue and budget  
1 17 committees, statutory committees, and interim study  
1 18 committees, and any subcommittees of such committees,  
1 19 including the provision of legal and fiscal analysis to  
1 20 committees and subcommittees.  
1 21 d. Publication of the official legal publications of the  
1 22 state, including but not limited to the Iowa Code, Iowa Code  
1 23 Supplement, Iowa Acts, Iowa court rules, Iowa administrative  
1 24 bulletin, and Iowa administrative code as provided in chapter  
1 25 2B.  
1 26 e. Operation and maintenance of the legislative computer  
1 27 systems used by the senate, house of representatives, and the  
1 28 central legislative staff agencies.  
1 29 f. Provision of legislative information to the public,  
1 30 provision of library information, management of legislative  
1 31 visitor protocol services, and provision of capitol tour guide  
1 32 services.  
1 33 g. Other functions as assigned to the legislative services  
1 34 agency by the legislative council or the general assembly.  
1 35 3. The legislative services agency shall provide services  
2 1 to the general assembly in such a manner as to preserve the  
2 2 authority of the senate and the house of representatives to  
2 3 determine their own rules of proceedings and to exercise all  
2 4 other powers necessary for a separate branch of the general  
2 5 assembly of a free and independent state, and to protect the  
2 6 legislative privileges of the members and employees of the  
2 7 general assembly. In providing services to the general  
2 8 assembly, the legislative services agency shall adhere to all  
2 9 applicable policies of the general assembly and its  
2 10 constituent bodies relating to public access to legislative  
2 11 information and related confidentiality restrictions.  
2 12 4. The director and all other employees of the legislative  
2 13 services agency shall not participate in partisan political  
2 14 activities and shall not be identified as advocates or  
2 15 opponents of issues subject to legislative debate except as  
2 16 otherwise provided by law or by the legislative council.

2 17 Sec. 2. NEW SECTION. 2E.2 DIRECTOR == DUTIES.

2 18 1. The administrative head of the legislative services  
2 19 agency shall be the director appointed by the legislative  
2 20 council as provided in section 2.42. The salary of the  
2 21 director shall be set by the legislative council.

2 22 2. The director shall do all of the following:

2 23 a. Employ persons with expertise to perform the legal,  
2 24 fiscal, technical, and other functions which are required to  
2 25 be performed by the legislative services agency by this  
2 26 chapter or are assigned to the legislative services agency by  
2 27 the legislative council or the general assembly.

2 28 b. Supervise all employees of the legislative services  
2 29 agency, including the legal counsel designated to provide  
2 30 legal assistance to the administrative rules review committee,  
2 31 and supervise any outside service providers retained by the  
2 32 legislative services agency.

2 33 c. Supervise all expenditures of the agency.

2 34 d. Supervise the legal and fiscal analysis and legal  
2 35 publication functions of the agency.

3 1 e. Supervise the government oversight and program  
3 2 evaluation functions of the agency.

3 3 f. Supervise the committee staffing functions of the  
3 4 agency.

3 5 g. Supervise the computer systems services functions of  
3 6 the agency.

3 7 h. Supervise the legislative and library information,  
3 8 legislative visitor protocol, and capitol tour guide functions  
3 9 of the agency.

3 10 i. Perform other functions as assigned to the director by  
3 11 the legislative council or the general assembly.

3 12 Sec. 3. NEW SECTION. 2E.3 INFORMATION ACCESS ==  
3 13 CONFIDENTIALITY == SUBPOENAS.

3 14 1. a. The director and agents and employees of the  
3 15 legislative services agency, with respect to the agency's  
3 16 provision of services relating to fiscal analysis of  
3 17 legislation, state expenditure, revenue, and budget review,  
3 18 state government oversight and performance evaluation, and  
3 19 staffing of revenue and budget committees, shall at all times  
3 20 have access to all agencies, offices, boards, and commissions  
3 21 of the state and its political subdivisions and private  
3 22 organizations providing services to individuals under  
3 23 contracts with state agencies, offices, boards, or commissions  
3 24 and to the information, records, instrumentalities, and  
3 25 properties used in the performance of such entities' statutory  
3 26 duties or contractual arrangements. All such entities and the  
3 27 described private organizations shall cooperate with the  
3 28 director, and shall make available to the director such  
3 29 information, records, instrumentalities, and properties upon  
3 30 request.

3 31 b. If the information sought by the legislative services  
3 32 agency, with respect to the agency's provision of services  
3 33 described in paragraph "a", is required by law to be kept  
3 34 confidential, the agency shall have access to the information,  
3 35 but shall maintain the confidentiality of the information and  
4 1 is subject to the same penalties as the lawful custodian of  
4 2 the information for dissemination of the information.  
4 3 However, the legislative services agency shall not have access  
4 4 to tax return information except for individual income tax  
4 5 sample data as provided in section 422.72, subsection 1.

4 6 c. The director may issue subpoenas for production of any  
4 7 information, records, instrumentalities, or properties to  
4 8 which the director is authorized to have access under  
4 9 paragraph "a". If any person subpoenaed refuses to produce  
4 10 the information, records, instrumentalities, or properties,  
4 11 the director may apply to the district court having  
4 12 jurisdiction over that person for the enforcement of the  
4 13 subpoena.

4 14 2. The director and agents and employees of the  
4 15 legislative services agency, with respect to the agency's  
4 16 provision of services relating to legal analysis, drafting,  
4 17 and publications, staffing of subject matter standing and  
4 18 statutory committees, and provision of legislative information  
4 19 to the public, may call upon any agency, office, board, or  
4 20 commission of the state or any of its political subdivisions  
4 21 or private organizations providing services to individuals  
4 22 under contracts with a state agency, office, board, or  
4 23 commission for such information and assistance as may be  
4 24 needed in the provision of services described in this  
4 25 subsection. Such information and assistance shall be  
4 26 furnished within the resources and authority of such agency,  
4 27 office, board, or commission. This requirement of furnishing

4 28 such information and assistance shall not be construed to  
4 29 require the production or opening of any public records which  
4 30 are required by law to be kept private or confidential.

4 31 3. The director, an agent or former agent, and an employee  
4 32 or former employee of the legislative services agency shall  
4 33 not be compelled to give testimony or to appear and produce  
4 34 documentary evidence in a judicial or quasi-judicial  
4 35 proceeding if the testimony or documentary evidence sought  
5 1 relates to a legislative duty or act performed by the  
5 2 director, agent, or employee. An order or subpoena purporting  
5 3 to compel testimony or the production of documentary evidence  
5 4 protected under this subsection is unenforceable.

5 5 Sec. 4. NEW SECTION. 2E.4 SPECIFIC SERVICES == PUBLIC  
5 6 POLICY RECOMMENDATIONS RESTRICTED.

5 7 The legislative services agency shall provide the following  
5 8 specific services:

5 9 1. Preparation of legal and legislative analysis of any  
5 10 governmental matter upon the proper request of members and  
5 11 committees of the general assembly. Such analysis shall not  
5 12 contain any public policy recommendations. Such legal  
5 13 analysis shall be provided through the exercise of an  
5 14 attorney-employee's independent, professional judgment.

5 15 2. Drafting and preparation of legislation, including  
5 16 bills, resolutions, and amendments, for committees and  
5 17 individual members of the general assembly; proposed bills and  
5 18 joint resolutions for state agencies and the governor in  
5 19 accordance with section 2.16; and bills embodying a plan of  
5 20 legislative and congressional redistricting prepared in  
5 21 accordance with chapter 42.

5 22 3. Fiscal analysis of legislation, and state expenditure,  
5 23 revenue, and budget review. The director of the agency or the  
5 24 director's designee may make recommendations to the general  
5 25 assembly concerning the state's expenditures and revenues.

5 26 4. Attendance at the budget hearings required by section  
5 27 8.26. The director of the agency may offer explanations or  
5 28 suggestions and make inquiries with respect to such budget  
5 29 hearings.

5 30 5. Assistance to standing committees and members of the  
5 31 general assembly in attaching fiscal notes to bills and  
5 32 resolutions as provided by the rules of the general assembly.

5 33 6. Performance of the duties pertaining to the preparation  
5 34 of correctional impact statements as provided in section 2.56.

5 35 7. Furnishing information, acting in an advisory capacity,  
6 1 providing staffing services, and reporting to standing,  
6 2 statutory, and interim committees of the general assembly.

6 3 8. Provision of staffing services including but not  
6 4 limited to preparation of legal and legislative analysis for  
6 5 the administrative rules review committee.

6 6 9. Preparation of legal and legislative analysis for the  
6 7 legislative council with respect to rules and forms submitted  
6 8 by the supreme court to the legislative council pursuant to  
6 9 section 602.4202.

6 10 10. Review and oversight of state program operations and  
6 11 program evaluation of state agencies, including compliance,  
6 12 efficiency, and effectiveness determinations, as required by  
6 13 section 2E.7.

6 14 11. Provision of legislative computer systems services to  
6 15 the senate, house of representatives, and central legislative  
6 16 staff agencies, and provision of advice regarding legislative  
6 17 computer systems services, needs, capabilities, and uses to  
6 18 the legislative council and the general assembly.

6 19 Sec. 5. NEW SECTION. 2E.5 OFFICIAL LEGAL AND OTHER  
6 20 PUBLICATIONS == PROCUREMENTS.

6 21 1. The legislative services agency shall publish the  
6 22 official legal publications of the state as provided in  
6 23 chapter 2B. The legislative services agency shall have legal  
6 24 custody of the publications and shall provide for the  
6 25 warehousing, sale, and distribution of the publications. The  
6 26 legislative services agency shall retain or cause to be  
6 27 retained a number of old editions of the publications but may  
6 28 otherwise distribute or cause to be distributed old editions  
6 29 of the publications to any person upon payment by the person  
6 30 of any distribution costs.

6 31 2. The printed versions of the publications listed in this  
6 32 subsection shall be sold at a price to be established by the  
6 33 legislative services agency. In determining the prices, the  
6 34 legislative services agency shall consider the costs of  
6 35 printing, binding, distribution, and paper stock, compilation  
7 1 and editing labor costs, and any other associated costs. The  
7 2 legislative services agency shall also consider the number of  
7 3 volumes or units to be printed, sold, and distributed in the

7 4 determination of the prices.  
7 5 a. The Iowa Code.  
7 6 b. The Iowa Code Supplement.  
7 7 c. The Iowa Acts.  
7 8 d. The Iowa court rules.  
7 9 e. The Iowa administrative code.  
7 10 f. The Iowa administrative bulletin.  
7 11 3. The legislative services agency may establish policies  
7 12 for the production, editing, distribution, and pricing of  
7 13 electronic publications containing information stored by the  
7 14 legislative branch in an electronic format, including  
7 15 information contained in the printed publications listed in  
7 16 this section. Such electronic publications may include  
7 17 programming not originally part of the stored information,  
7 18 including but not limited to search and retrieval functions.  
7 19 The policies shall provide for the widest possible  
7 20 distribution of these value-added electronic publications at  
7 21 the lowest price practicable, which shall not be more than the  
7 22 costs attributable to producing, editing, and distributing the  
7 23 electronic publications.

7 24 4. Subject to section 2.42, the legislative services  
7 25 agency shall determine its procurement procedures, which may  
7 26 include procurement determinations based on service provider  
7 27 competence, meeting of service or product specifications, and  
7 28 reasonableness of price; the posting of security to accompany  
7 29 a service provider proposal; the preference of Iowa-based  
7 30 businesses if comparable in price; the disclosure of service  
7 31 provider assignments; the inclusion of renewal options; the  
7 32 imposition of liquidated damages and other penalties for  
7 33 breach of any service provider requirement; and the rejection  
7 34 of all service provider proposals and institution of a new  
7 35 procurement process.

8 1 Sec. 6. NEW SECTION. 2E.6 SPECIAL DISTRIBUTION OF LEGAL  
8 2 PUBLICATIONS == RESTRICTIONS ON FREE DISTRIBUTIONS.

8 3 1. The legislative services agency shall make free  
8 4 distribution of the printed versions of the official legal  
8 5 publications listed in section 2E.5, subsection 2, subject to  
8 6 payment of any routine distribution costs such as but not  
8 7 limited to mailing and handling costs, to the three branches  
8 8 of state government, to elected county officers, to county and  
8 9 city assessors, to Iowa's congressional delegation, to federal  
8 10 courts in Iowa and federal judges and magistrates for Iowa,  
8 11 and to state and university depository libraries, the library  
8 12 of congress, and the library of the United States supreme  
8 13 court. Only such officers, offices, and agencies entitled to  
8 14 or receiving free copies during the fiscal year beginning July  
8 15 1, 2002, and ending June 30, 2003, shall be entitled to  
8 16 continue to receive free copies in subsequent years, except  
8 17 that successor and new officers, offices, and agencies shall  
8 18 receive a reasonable number of free copies as determined by  
8 19 the legislative services agency. Such officers, offices, and  
8 20 agencies shall annually review the number of copies received  
8 21 in the prior year to determine if the number of copies  
8 22 received can be reduced and shall submit the information in a  
8 23 report to the legislative services agency. The number of  
8 24 copies received, once reduced, shall not be increased to the  
8 25 previous level without the express consent of the legislative  
8 26 services agency.

8 27 2. Each officer, office, or agency receiving one or more  
8 28 free copies of a publication under this section shall only  
8 29 receive up to the number of copies indicated free at the time  
8 30 of initial distribution. If an officer, office, or agency  
8 31 receiving one or more free copies of a publication under this  
8 32 section desires additional copies beyond the number initially  
8 33 received, the officer, office, or agency must request the  
8 34 additional copies and pay the normal charge for such  
8 35 publication.

9 1 3. If a version of a publication provided under this  
9 2 section is available in an electronic format, the legislative  
9 3 services agency may establish policies providing for the  
9 4 substitution of an electronic version for the printed version  
9 5 of the publication, and for the amount of payment, if any,  
9 6 required for the electronic publication. The payment amount  
9 7 shall not be more than established pursuant to section 2E.5  
9 8 for the same publication. For the Iowa administrative code  
9 9 and its supplements, the legislative services agency may  
9 10 provide that the distribution requirement of this section is  
9 11 met by distributing relevant portions of the Iowa  
9 12 administrative code or its supplements in either a printed or  
9 13 electronic format.

9 14 4. Notwithstanding any provision of this section to the

9 15 contrary, the legislative services agency may review the  
9 16 publication costs and offsetting sales revenues relating to  
9 17 legal publications in printed formats, and may establish  
9 18 policies requiring payment from persons otherwise entitled to  
9 19 receive them at no cost or at a price covering distribution  
9 20 costs pursuant to subsection 1. The payment amount shall not  
9 21 be more than established pursuant to section 2E.5 for the same  
9 22 publication.

9 23 Sec. 7. NEW SECTION. 2E.7 STATE GOVERNMENT OVERSIGHT AND  
9 24 PROGRAM EVALUATION.

9 25 1. The general assembly shall independently and  
9 26 intensively review and oversee the performance of state  
9 27 agencies in the operation of state programs to evaluate the  
9 28 efficiency and effectiveness of the state programs and to  
9 29 consider alternatives which may improve the benefits of such  
9 30 programs or may reduce their costs to the citizens of the  
9 31 state. The legislative services agency shall provide the  
9 32 technical and professional support for the general assembly's  
9 33 oversight responsibility.

9 34 2. The general assembly by concurrent resolution or the  
9 35 legislative council may direct the legislative services agency  
10 1 to conduct a program evaluation of any state agency. Upon the  
10 2 passage of the concurrent resolution or receiving the  
10 3 direction of the legislative council, the director of the  
10 4 legislative services agency shall inform the chairpersons of  
10 5 the committees responsible for appropriations of the  
10 6 anticipated cost of the program evaluation and the number and  
10 7 nature of any additional personnel needed to conduct the  
10 8 program evaluation and shall notify the official responsible  
10 9 for the program to be evaluated. The director, after  
10 10 consulting with the responsible official and the entity  
10 11 requesting the program evaluation, shall determine the goals  
10 12 and objectives of the state agency or state program for the  
10 13 purpose of the program evaluation.

10 14 3. In conducting the program evaluation, the legislative  
10 15 services agency may make certain determinations including but  
10 16 not limited to the following:

10 17 a. The organizational framework of the state agency, its  
10 18 adequacy and relationship to the overall structure of state  
10 19 government, and whether the program under the agency's  
10 20 jurisdiction could be more effective if consolidated with  
10 21 another program, transferred to another program, or modified,  
10 22 or whether the program should be abolished.

10 23 b. Whether the state agency is conducting programs and  
10 24 activities and expending funds appropriated to the state  
10 25 agency in compliance with state and federal law and any  
10 26 executive order of the governor, and whether statutory or  
10 27 administrative rule changes are advisable.

10 28 c. Whether the state agency is conducting authorized  
10 29 activities and programs pursuant to goals and objectives  
10 30 established by statute or rule, specific legislative intent,  
10 31 the budget, the governor, or a strategic or other long-range  
10 32 plan, and whether alternatives which might produce the desired  
10 33 results at a lower cost have been considered.

10 34 d. Whether the state agency is conducting programs and  
10 35 activities and expending funds appropriated to the state  
11 1 agency in an efficient and effective manner, has complied with  
11 2 all applicable laws, and, if not, determine the causes for  
11 3 such inefficiency, ineffectiveness, or noncompliance.

11 4 e. Relationships within and among other governmental  
11 5 agencies and programs including financial exchanges,  
11 6 coordination, inconsistent programs, and areas of duplication  
11 7 or overlapping programs.

11 8 f. The productivity of the state agency's operations  
11 9 measured in terms of cost-benefit relationships or other  
11 10 accepted measures of effectiveness.

11 11 g. Other criteria determined by the director.

11 12 4. Upon the completion of the program evaluation and  
11 13 preparation of a report on the evaluation, the legislative  
11 14 services agency shall provide a copy of the report to the  
11 15 governing official or board of the state agency and afford the  
11 16 state agency a reasonable opportunity to respond to the  
11 17 findings and recommendations of the report. The response  
11 18 shall be included in the final version of the report released  
11 19 to the general assembly or the legislative council. Until its  
11 20 release the report shall be regarded as confidential by all  
11 21 persons properly having custody of the report.

11 22 Sec. 8. NEW SECTION. 2E.8 SALES == TAX EXEMPTION.

11 23 1. The legislative services agency and its legislative  
11 24 information office may sell mementos and other items relating  
11 25 to Iowa history and historic sites, the general assembly, and

11 26 the state capitol, on the premises of property under the  
11 27 control of the legislative council, at the state capitol, and  
11 28 on other state property.

11 29 2. The legislative services agency is not a retailer under  
11 30 chapter 422 and the sale of items or provision of services by  
11 31 the legislative services agency is not a retail sale under  
11 32 chapter 422, division IV, and is exempt from the sales tax.  
11 33 Sec. 9. Section 2.9, Code 2003, is amended to read as  
11 34 follows:

11 35 2.9 JOURNALS == BILLS AND AMENDMENTS.

12 1 1. a. The senate and house of representatives shall each  
12 2 publish a daily journal of the transactions of their  
12 3 respective bodies. The secretary of the senate and the chief  
12 4 clerk of the house shall each determine the format and manner  
12 5 of the journal's publication, the procurement procedures for  
12 6 the journal's publication, and the journal's distribution for  
12 7 their respective bodies.

12 8 b. The secretary of the senate and the clerk of the house  
12 9 of representatives shall each preserve copies of the printed  
12 10 daily journals of their respective bodies, as corrected,  
12 11 certify to their correctness, and file them with the secretary  
12 12 of state at the adjournment of each session of the general  
12 13 assembly. The secretary of state shall ~~cause the journals to~~  
12 14 ~~be bound and preserved as~~ preserve the original journals of  
12 15 the senate and the house in the manner specified by the  
12 16 majority leader of the senate and speaker of the house.

12 17 2. a. The senate and house of representatives shall each  
12 18 publish bills and amendments of their respective bodies. The  
12 19 secretary of the senate and the chief clerk of the house shall  
12 20 each determine the procurement procedures for the publication  
12 21 of the bills and amendments and the distribution of the bills  
12 22 and amendments for their respective bodies.

12 23 b. A bill that seeks to legalize the acts of any official  
12 24 or board or other official body, in regard to any matter of  
12 25 public nature or for any person or persons, company, or  
12 26 corporation, shall not be considered by the senate or house of  
12 27 representatives until the bill is published and distributed to  
12 28 members of the general assembly, and the publication shall be  
12 29 without expense to the state. The senate and house shall not  
12 30 order any such bill published until the secretary of the  
12 31 senate or chief clerk of the house has received a deposit to  
12 32 cover the cost of the publication. The newspaper publication  
12 33 of such bill shall be without expense to the state, and the  
12 34 bill shall not be published in a newspaper until the costs of  
12 35 the newspaper publication has been paid to the secretary of  
13 1 state.

13 2 Sec. 10. Section 2.42, subsections 1, 2, 11, 12, 13, 14,  
13 3 15, 16, 18, and 19, Code 2003, are amended to read as follows:

13 4 1. To establish policies for the operation of the  
13 5 legislative ~~service bureau, including the priority to be given~~  
13 6 ~~to research requests and the distribution of research reports~~  
13 7 ~~services agency.~~

13 8 2. To appoint the director of the legislative ~~service~~  
13 9 ~~bureau services agency~~ for such term of office as may be set  
13 10 by the council.

13 11 11. To approve the appointment of the Iowa Code editor and  
13 12 the administrative code editor ~~and establish the salaries of~~  
13 13 ~~the persons employed in that office.~~

13 14 12. To establish policies for the distribution of  
13 15 information which is stored by the general assembly in an  
13 16 electronic format, including the contents of statutes or  
13 17 rules, other than value-added electronic publications as  
13 18 provided in section ~~7A.22~~ 2E.5. The legislative council shall  
13 19 establish payment rates that encourage the distribution of  
13 20 such information to the public, including private vendors  
13 21 reselling that information. The legislative council shall not  
13 22 establish a price that attempts to recover more than is  
13 23 attributable to costs related to reproducing and delivering  
13 24 the information.

13 25 13. To establish policies with regard to the publishing of  
13 26 printed and electronic versions of the Iowa administrative  
13 27 code, the Iowa administrative bulletin, the Iowa Code, the  
13 28 Iowa Code Supplement, and the ~~session laws~~ Iowa Acts, or any  
13 29 part of those publications. The publishing policies may  
13 30 include, but are not limited to: the style and format to be  
13 31 used; the frequency of publication; the contents of the  
13 32 publications; the numbering system to be used in the Iowa  
13 33 Code, the Iowa Code Supplement, and the ~~session laws~~ Iowa  
13 34 Acts; the preparation of editorial comments or notations; the  
13 35 correction of errors; the type of print or electronic media  
14 1 and data processing software to be used; the number of printed

14 2 volumes to be published; recommended revisions of the Iowa  
14 3 Code, the Iowa Code Supplement, and the ~~session laws Iowa~~  
14 4 ~~Acts~~; the letting of contracts for the publication of the Iowa  
14 5 ~~administrative code, the Iowa administrative bulletin, the~~  
14 6 ~~Iowa court rules, the Iowa Code, the Iowa Code Supplement, and~~  
14 7 ~~session laws the Iowa Acts~~; the pricing of the publications to  
14 8 which section 22.3 does not apply; access to, and the use,  
14 9 reproduction, legal protection, sale or distribution, and  
14 10 pricing of related data processing software consistent with  
14 11 chapter 22; and any other matters deemed necessary to the  
14 12 publication of uniform and understandable publications.

~~14 13 14. To establish policies for the operation of the~~  
~~14 14 legislative fiscal bureau.~~  
14 15 15. To appoint the director of the legislative fiscal  
~~14 16 bureau for such term of office as may be set by the council.~~

14 17 16. To hear and act upon appeals of aggrieved employees of  
14 18 the legislative ~~service bureau, legislative fiscal bureau,~~  
~~14 19 computer support bureau, services agency~~ and the office of the  
14 20 citizens' aide pursuant to rules of procedure established by  
14 21 the council.

~~14 22 18. To establish policies for the operation of the~~  
~~14 23 computer support bureau.~~

~~14 24 19. To appoint the director of the computer support bureau~~  
~~14 25 for a term of office set by the council.~~

14 26 Sec. 11. Section 2.45, subsection 2, Code 2003, is amended  
14 27 to read as follows:

14 28 2. The legislative fiscal committee, composed of the  
14 29 chairpersons or their designated committee member and the  
14 30 ranking minority party members or their designated committee  
14 31 member of the committees of the house and senate responsible  
14 32 for developing a state budget and appropriating funds, the  
14 33 chairpersons or their designated committee member and the  
14 34 ranking minority party members or their designated committee  
14 35 member of the committees on ways and means, and two members,  
15 1 one appointed from the majority party of the senate by the  
15 2 majority leader of the senate and one appointed from the  
15 3 majority party of the house by the speaker of the house of  
15 4 representatives. In each house, unless one of the members who  
15 5 represent the committee on ways and means is also a member of  
15 6 the legislative council, the person appointed from the  
15 7 membership of the majority party in that house shall also be  
15 8 appointed from the membership of the legislative council. ~~The~~  
~~15 9 legislative fiscal committee shall determine policies for the~~  
~~15 10 legislative fiscal bureau and shall direct the administration~~  
~~15 11 of performance audits and visitations, subject to the approval~~  
~~15 12 of the legislative council.~~

15 13 Sec. 12. Section 2.56, Code 2003, is amended to read as  
15 14 follows:

15 15 2.56 CORRECTIONAL IMPACT STATEMENTS.

15 16 1. Prior to debate on the floor of a chamber of the  
15 17 general assembly, a correctional impact statement shall be  
15 18 attached to any bill, joint resolution, or amendment which  
15 19 proposes a change in the law which creates a public offense,  
15 20 significantly changes an existing public offense or the  
15 21 penalty for an existing offense, or changes existing  
15 22 sentencing, parole, or probation procedures. The statement  
15 23 shall include information concerning the estimated number of  
15 24 criminal cases per year that the legislation will impact, the  
15 25 fiscal impact of confining persons pursuant to the  
15 26 legislation, the impact of the legislation upon existing  
15 27 correctional institutions, community-based correctional  
15 28 facilities and services, and jails, the likelihood that the  
15 29 legislation may create a need for additional prison capacity,  
15 30 and other relevant matters. The statement shall be factual  
15 31 and shall, if possible, provide a reasonable estimate of both  
15 32 the immediate effect and the long-range impact upon prison  
15 33 capacity.

~~15 34 2. a. The preliminary determination of whether a bill,~~  
~~15 35 joint resolution, or amendment appears to require a~~  
~~16 1 correctional impact statement shall be made by the legislative~~  
~~16 2 service bureau, which shall send a copy of the bill, joint~~  
~~16 3 resolution, or amendment, upon completion of the draft, to the~~  
~~16 4 legislative fiscal director for review, unless the requestor~~  
~~16 5 specifies the request is to be confidential.~~

16 6 ~~b. 2. a.~~ When a committee of the general assembly reports  
16 7 a bill, joint resolution, or amendment to the floor, the  
16 8 committee shall state in the report whether a correctional  
16 9 impact statement is or is not required.

16 10 ~~c. b.~~ The legislative ~~fiscal director~~ services agency  
16 11 shall review all bills and joint resolutions placed on the  
16 12 calendar of either chamber of the general assembly, as well as

16 13 amendments filed to bills or joint resolutions on the  
16 14 calendar, to determine whether a correctional impact statement  
16 15 is required.

16 16 ~~d. c.~~ A member of the general assembly may request the  
16 17 preparation of a correctional impact statement by submitting a  
16 18 request to the legislative ~~fiscal bureau~~ services agency.

16 19 3. The legislative ~~fiscal director~~ services agency shall  
16 20 cause to be prepared ~~and shall approve~~ a correctional impact  
16 21 statement within a reasonable time after receiving a request  
16 22 or determining that a proposal is subject to this section.  
16 23 All correctional impact statements approved by the legislative  
16 24 ~~fiscal director~~ services agency shall be transmitted  
16 25 immediately to either the chief clerk of the house or the  
16 26 secretary of the senate, after notifying the sponsor of the  
16 27 legislation that the statement has been prepared, for  
16 28 publication ~~in the daily clip sheet~~. The chief clerk of the  
16 29 house or the secretary of the senate shall attach the  
16 30 statement to the bill, joint resolution, or amendment affected  
16 31 as soon as it is available.

16 32 4. The legislative ~~fiscal director~~ services agency may  
16 33 request the cooperation of any state department or agency or  
16 34 political subdivision in preparing a correctional impact  
16 35 statement.

17 1 5. A revised correctional impact statement shall be  
17 2 prepared if the correctional impact has been changed by the  
17 3 adoption of an amendment, and may be requested by a member of  
17 4 the general assembly or be prepared upon a determination made  
17 5 by the legislative ~~fiscal director~~ services agency. However,  
17 6 a request for a revised correctional impact statement shall  
17 7 not delay action on the bill, joint resolution, or amendment  
17 8 unless so ordered by the presiding officer of the chamber.

17 9 Sec. 13. Section 2B.1, Code 2003, is amended to read as  
17 10 follows:

17 11 2B.1 IOWA CODE AND ADMINISTRATIVE CODE ~~DIVISIONS~~ --

17 12 EDITORS.

17 13 ~~1. The Iowa Code and administrative code divisions are~~  
17 14 ~~established within the legislative service bureau.~~

17 15 ~~2. 1. The director of the legislative service bureau~~  
17 16 ~~services agency shall appoint the Iowa Code editor and the~~  
17 17 ~~administrative code editor, subject to the approval of the~~  
17 18 ~~legislative council, as provided in section 2.42. The Iowa~~  
17 19 ~~Code editor and the administrative code editor shall serve as~~  
17 20 ~~the heads of their respective divisions, at the pleasure of~~  
17 21 ~~the director of the legislative service bureau, and subject to~~  
17 22 ~~the approval of the legislative council services agency.~~

17 23 ~~3. 2. The Iowa Code and administrative code divisions~~  
17 24 ~~editors are responsible for the editing, compiling, and~~  
17 25 ~~proofreading of the publications they prepare, as provided in~~  
17 26 ~~this chapter. The Iowa Code division editor is entitled to~~  
17 27 ~~the temporary possession of the original enrolled Acts and~~  
17 28 ~~resolutions as necessary to prepare them for publication.~~

17 29 Sec. 14. Section 2B.5, Code 2003, is amended to read as  
17 30 follows:

17 31 2B.5 DUTIES OF ADMINISTRATIVE CODE ~~DIVISION~~ EDITOR.

17 32 The administrative code ~~division~~ editor shall:

17 33 1. Cause the Iowa administrative bulletin and the Iowa  
17 34 administrative code to be published as provided in chapter  
17 35 17A.

18 1 2. Cause the Iowa court rules to be published ~~and~~  
18 2 ~~distributed~~, as directed by the supreme court after  
18 3 consultation with the legislative council. The Iowa court  
18 4 rules shall consist of all rules prescribed by the supreme  
18 5 court. ~~The court rules shall be published in loose-leaf form~~  
18 6 ~~and supplements shall be prepared and distributed as directed~~  
18 7 ~~by the supreme court. The Iowa court rules and supplements to~~  
18 8 ~~the court rules shall be priced as provided in section 7A.22~~  
18 9 ~~2E.5.~~

18 10 3. Cause to be published annually ~~in pamphlet form~~ a  
18 11 correct list of state officers and deputies, members of boards  
18 12 and commissions, ~~judges justices~~ of the supreme court,  
18 13 ~~appellate judges of the court of appeals~~, and ~~judges of the~~  
18 14 ~~district courts including district associate judges and~~  
18 15 ~~judicial magistrates, and members of the general assembly.~~  
18 16 The offices of the governor and secretary of state shall  
18 17 cooperate in the preparation of the list. ~~This pamphlet shall~~  
18 18 ~~be published as soon after July 1 as it becomes apparent that~~  
18 19 ~~it will be reasonably current.~~

18 20 4. Notify the administrative rules coordinator if a rule  
18 21 is not in proper style or form.

18 22 5. Perform other duties as directed by the director of the  
18 23 legislative ~~service bureau~~ services agency, the legislative

18 24 council, or the administrative rules review committee and as  
18 25 provided by law.

18 26 Sec. 15. Section 2B.6, Code 2003, is amended to read as  
18 27 follows:

18 28 2B.6 DUTIES OF IOWA CODE ~~DIVISION~~ EDITOR.

18 29 The Iowa Code ~~division~~ editor shall:

18 30 1. Submit recommendations as the Iowa Code editor deems  
18 31 proper to each general assembly for the purpose of amending,  
18 32 revising, codifying, and repealing portions of the statutes  
18 33 which are inaccurate, inconsistent, outdated, conflicting,  
18 34 redundant, or ambiguous, and present the recommendations in  
18 35 bill form to the appropriate committees of the general  
19 1 assembly.

19 2 2. Cause the annual ~~session laws~~ Iowa Acts to be  
19 3 published, as provided in section 2B.10, including copies of  
19 4 all Acts and joint resolutions passed at each session of the  
19 5 general assembly.

19 6 3. Cause the Iowa Code and Iowa Code Supplement to be  
19 7 published as provided in section 2B.12.

19 8 4. Perform other duties as directed by the director of the  
19 9 legislative ~~service bureau~~ services agency or the legislative  
19 10 council and as provided by law.

19 11 Sec. 16. Section 2B.10, subsection 5, Code 2003, is  
19 12 amended to read as follows:

19 13 5. The enrolling clerks of the house and senate shall  
19 14 arrange for the Iowa Code ~~division~~ editor to receive suitable  
19 15 copies of all Acts and resolutions as soon as they are  
19 16 enrolled.

19 17 Sec. 17. Section 2B.12, subsection 6, paragraph f, Code  
19 18 2003, is amended to read as follows:

19 19 f. The Constitution of the State of Iowa, original and  
19 20 codified versions.

19 21 Sec. 18. Section 2B.13, Code 2003, is amended to read as  
19 22 follows:

19 23 2B.13 EDITORIAL POWERS AND DUTIES.

19 24 1. The Iowa Code editor in preparing the copy for an  
19 25 edition of the Iowa Code or ~~a~~ Iowa Code Supplement, ~~and the~~  
~~19 26 administrative code editor in preparing the copy for an~~  
~~19 27 edition of the Iowa administrative code or bulletin shall not~~  
19 28 alter the sense, meaning, or effect of any Act of the general  
19 29 assembly, but may:

19 30 a. Correct manifestly misspelled words and grammatical and  
19 31 clerical errors, including punctuation ~~but without changing~~  
~~19 32 the meaning, and change capitalization, spelling, and~~  
19 33 punctuation for purposes of uniformity and consistency in Code  
19 34 language.

19 35 b. Correct internal references to sections which are cited  
20 1 erroneously or have been repealed, ~~and amended, or renumbered.~~

20 2 c. Substitute the proper chapter, section, subsection, or  
20 3 other statutory reference for the term "this Act" or  
20 4 references to another Act of the general assembly when there  
20 5 appears to be no doubt as to the proper method of making the  
20 6 substitution.

20 7 d. Substitute the proper date for references to the  
20 8 effective or applicability dates of an Act when there appears  
20 9 to be no doubt as to the proper method of making the  
20 10 substitution.

20 11 e. Correct names of agencies, officers, or other entities  
20 12 ~~which have been changed,~~ when there appears to be no doubt as  
20 13 to the proper ~~methods~~ method of making the ~~corrections~~  
20 14 correction. ~~The Code editor shall maintain a record of the~~  
~~20 15 corrections made under this paragraph. The record shall be~~  
20 16 available to the public.

20 17 ~~e- f.~~ f. Transfer, divide, or combine sections or parts of  
20 18 sections and add or amend headnotes to sections and  
20 19 subsections. Pursuant to section 3.3, the headnotes are not  
20 20 part of the law.

20 21 g. Change words that designate one gender to reflect both  
20 22 genders when the provisions apply to both genders.

20 23 h. If any Code section or part of a Code section, or any  
20 24 Act of the general assembly which is intended to be codified,  
20 25 is amended by more than one Act or more than one provision in  
20 26 an Act of the general assembly, and the amendments do not  
20 27 expressly refer to or amend one of the other Acts or Act  
20 28 provisions in question, harmonize the amendments, if possible,  
20 29 so that effect may be given to each and incorporate the  
20 30 amendments as harmonized in the Code section. If amendments  
20 31 made by several Acts are irreconcilable, unless one of the  
20 32 amendments repeals or strikes the language in question, the  
20 33 Iowa Code editor shall codify the amendment that is latest in  
20 34 date of enactment by the general assembly. If amendments made

20 35 by provisions within an Act are irreconcilable, unless one of  
21 1 the amendments repeals or strikes the language in question,  
21 2 the Iowa Code editor shall codify the provision listed last in  
21 3 the Act. If one of the amendments repeals or strikes the  
21 4 language in question, the Iowa Code editor shall codify the  
21 5 amendment that repeals or strikes the language.

21 6 2. The Iowa Code editor may prepare and publish comments  
21 7 deemed necessary for a proper explanation of the manner of  
21 8 printing a section or chapter of the Iowa Code.

21 9 3. The Iowa Code editor, in preparing the copy for an  
21 10 edition of the Iowa Code or a Code Supplement, and the  
21 11 administrative code editor in preparing the copy for an  
21 12 edition of the Iowa administrative code, shall edit the copy  
21 13 in order that words which designate one gender are changed to  
21 14 reflect both genders when the provisions of law apply to  
21 15 persons of both genders.

21 16 2. The administrative code editor in preparing the copy  
21 17 for an edition of the Iowa administrative code or bulletin  
21 18 shall not alter the sense, meaning, or effect of any rule, but  
21 19 may:

21 20 a. Correct misspelled words and grammatical and clerical  
21 21 errors, including punctuation, and change capitalization,  
21 22 spelling, and punctuation for purposes of uniformity and  
21 23 consistency.

21 24 b. Correct references to rules or sections which are cited  
21 25 erroneously or have been repealed, amended, or renumbered.

21 26 c. Correct names of agencies, officers, or other entities  
21 27 when there appears to be no doubt as to the proper method of  
21 28 making the correction.

21 29 d. Transfer, divide, or combine rules or parts of rules  
21 30 and add or amend catchwords to rules and subrules.

21 31 e. Change words that designate one gender to reflect both  
21 32 genders when the provisions apply to both genders.

21 33 f. Perform any other editorial tasks required or  
21 34 authorized by section 17A.6.

21 35 3. The Iowa Code editor may, in preparing the copy for an  
22 1 edition of the Iowa Code or Iowa Code Supplement, establish  
22 2 standards for and change capitalization, spelling, and  
22 3 punctuation in any Code provision for purposes of uniformity  
22 4 and consistency in Code language. The administrative code  
22 5 editor may establish standards for capitalization, spelling,  
22 6 and punctuation for purposes of uniformity and consistency in  
22 7 the administrative code.

22 8 4. The Iowa Code editor shall seek direction from the  
22 9 senate committee on judiciary and the house committee on  
22 10 judiciary when making Iowa Code or Iowa Code Supplement  
22 11 changes, and the administrative code editor shall seek  
22 12 direction from the administrative rules review committee and  
22 13 the administrative rules coordinator when making Iowa  
22 14 administrative code changes, which appear to require  
22 15 substantial editing and which might otherwise be interpreted  
22 16 to exceed the scope of the authority granted in this section.

22 17 5. The Iowa Code editor may prepare and publish comments  
22 18 deemed necessary for a proper explanation of the manner of  
22 19 printing a section or chapter of the Iowa Code. The Iowa Code  
22 20 editor shall maintain a record of all of the corrections made  
22 21 under subsection 1. The Iowa Code editor and the  
22 22 administrative code editor shall also maintain a separate  
22 23 record of the changes made under this section subsection 1,  
22 24 paragraphs "b" through "h". The record records shall be  
22 25 available to the public.

22 26 6. The Iowa Code editor and the administrative code editor  
22 27 shall not make editorial changes which go beyond the authority  
22 28 granted in this section or other law.

22 29 7. The effective date of all editorial changes in an  
22 30 edition of the Iowa Code or a Iowa Code Supplement is the  
22 31 effective date of the selling price Iowa Code editor's  
22 32 approval of the final press proofs for the statutory text  
22 33 contained within that publication as established by the  
22 34 legislative council or the legislative council's designee.

22 35 The effective date of all editorial changes for the Iowa  
23 1 administrative code is the date those changes are published in  
23 2 the Iowa administrative code.

23 3 Sec. 19. Section 2B.17, subsections 3 and 5, Code 2003,  
23 4 are amended to read as follows:

23 5 3. The official printed versions of the Iowa Code, Code  
23 6 Supplement, and session laws Iowa Acts published under  
23 7 authority of the state are the only authoritative publications  
23 8 of the statutes of this state. No other Other publications of  
23 9 the statutes of the state shall not be cited in the courts or  
23 10 in the reports or rules of the courts. The Iowa Code editor

23 11 is the custodian of the official printed versions of the Iowa  
23 12 Code, Iowa Code Supplement, and Iowa Acts and may attest to  
23 13 and authenticate any portion of those official printed  
23 14 versions for purposes of admitting a portion of the official  
23 15 printed version in any court or office of any state,  
23 16 territory, or possession of the United States or in a foreign  
23 17 jurisdiction.

23 18 5. The printed version of the Iowa administrative code is  
23 19 the permanent publication of administrative rules in this  
23 20 state and the Iowa administrative bulletin and the Iowa  
23 21 administrative code published pursuant to chapter 17A are the  
23 22 official publications of the administrative rules of this  
23 23 state, and are the only authoritative publications of the  
23 24 administrative rules of this state. Other publications of the  
23 25 administrative rules of this state shall not be cited in the  
23 26 courts or in the reports or rules of the courts. The Iowa  
23 27 administrative code editor is the custodian of the official  
23 28 printed versions of the Iowa administrative code and the Iowa  
23 29 administrative bulletin and may attest to and authenticate any  
23 30 portion of those official printed versions for purposes of  
23 31 admitting a portion of the official printed version in any  
23 32 court or office of any state, territory, or possession of the  
23 33 United States or in a foreign jurisdiction.

23 34 Sec. 20. Section 2B.21, Code 2003, is amended to read as  
23 35 follows:

24 1 2B.21 AVAILABILITY OF PARTS OF THE IOWA CODE AND  
24 2 ADMINISTRATIVE CODE.

24 3 The Iowa Code ~~division editor~~ and the administrative code  
24 4 ~~division editor~~, in accordance with policies established by  
24 5 the legislative council, may cause parts of the Iowa Code or  
24 6 administrative code to be made available for the use of public  
24 7 officers and other persons. This authority shall be exercised  
24 8 in a manner planned to avoid delay in the other publications  
24 9 of the ~~divisions editors~~.

24 10 Sec. 21. Section 7E.6, subsection 7, Code 2003, is amended  
24 11 by striking the subsection.

24 12 Sec. 22. Section 8.22A, subsection 1, Code 2003, is  
24 13 amended to read as follows:

24 14 1. The state revenue estimating conference is created  
24 15 consisting of the governor or the governor's designee, the  
24 16 director of the legislative ~~fiscal bureau~~ services agency or  
24 17 the director's designee, and a third member agreed to by the  
24 18 other two.

24 19 Sec. 23. Section 15A.9, subsection 11, Code 2003, is  
24 20 amended by striking the subsection.

24 21 Sec. 24. Section 17A.6, subsection 1, unnumbered paragraph  
24 22 1, Code 2003, is amended to read as follows:

24 23 The administrative code editor shall cause the Iowa  
24 24 administrative bulletin to be published in ~~a printed form~~  
24 25 accordance with section 2.42 at least every other week, unless  
24 26 the administrative code editor and the administrative rules  
24 27 review committee determine that an alternative publication  
24 28 schedule is preferable. ~~An electronic version of the Iowa~~  
24 29 ~~administrative bulletin may also be published as provided in~~  
24 30 ~~section 2.42.~~ The Iowa administrative bulletin shall contain  
24 31 all of the following:

24 32 Sec. 25. Section 17A.6, subsections 2, 3, and 5, Code  
24 33 2003, are amended to read as follows:

24 34 2. Subject to the direction of the administrative rules  
24 35 coordinator, the administrative code editor shall cause the  
25 1 Iowa administrative code to be compiled, indexed, and  
25 2 published in accordance with section 2.42 in a ~~printed loose-~~  
25 3 ~~leaf~~ form containing all rules adopted and filed by each  
25 4 agency. The administrative code editor further shall cause  
25 5 ~~loose-leaf~~ supplements to the Iowa administrative code to be  
25 6 published as determined by the administrative rules  
25 7 coordinator and the administrative rules review committee,  
25 8 containing all rules filed for publication in the prior time  
25 9 period. The supplements shall be in such form that they may  
25 10 be inserted in the appropriate places in the permanent  
25 11 compilation. The administrative rules coordinator shall  
25 12 devise a uniform numbering system for rules and may renumber  
25 13 rules before publication to conform with the system. ~~An~~  
25 14 ~~electronic version of the Iowa administrative code may also be~~  
25 15 ~~published as provided in section 2.42.~~

25 16 3. The administrative code editor may omit or cause to be  
25 17 omitted from the Iowa administrative code or bulletin any rule  
25 18 the publication of which would be unduly cumbersome, expensive  
25 19 or otherwise inexpedient, if the rule in ~~printed or~~ processed  
25 20 form is made available on application to the adopting agency  
25 21 at no more than its cost of reproduction, and if the Iowa

25 22 administrative code or bulletin contains a notice stating the  
25 23 specific subject matter of the omitted rule and stating how a  
25 24 copy of the omitted rule may be obtained.

25 25 The administrative code editor shall omit or cause to be  
25 26 omitted from the Iowa administrative code any rule or portion  
25 27 of a rule nullified by the general assembly pursuant to  
25 28 Article III, section 40, of the Constitution of the State of  
25 29 Iowa.

25 30 5. The Iowa administrative code, its supplements, and the  
25 31 Iowa administrative bulletin shall be made available upon  
25 32 request to all persons who subscribe to any of them ~~through~~  
~~25 33 the state printing division. Copies of this code so made~~  
~~25 34 available shall be kept current by the division.~~

25 35 Sec. 26. Section 17A.8, subsection 10, Code 2003, is  
26 1 amended by striking the subsection.

26 2 Sec. 27. Section 18.3, subsection 3, Code 2003, is amended  
26 3 to read as follows:

26 4 3. Administering the provisions of sections 18.26 to  
26 5 ~~18.103~~ 18.100.

26 6 Sec. 28. Section 18.28, Code 2003, is amended to read as  
26 7 follows:

26 8 18.28 "PRINTING" DEFINED.

26 9 As used in chapter 7A and sections 18.26 to ~~18.103~~ 18.100,  
26 10 "printing" means the reproduction of an image from a printing  
26 11 surface made generally by a contact impression that causes a  
26 12 transfer of ink, the reproduction of an impression by a  
26 13 photographic process, or the reproduction of an image by  
26 14 electronic means and shall include binding and may include  
26 15 material, processes, or operations necessary to produce a  
26 16 finished printed product, but shall not include binding,  
26 17 rebinding or repairs of books, journals, pamphlets, magazines  
26 18 and literary articles by any library of the state or any of  
26 19 its offices, departments, boards and commissions held as a  
26 20 part of their library collection.

26 21 Sec. 29. NEW SECTION. 18.28A LEGISLATIVE BRANCH  
26 22 EXCLUDED.

26 23 This chapter does not apply to the printing contracts or  
26 24 procedures of the legislative branch.

26 25 Sec. 30. Section 18.30, Code 2003, is amended to read as  
26 26 follows:

26 27 18.30 CONTRACTS WITH STATE INSTITUTIONS.

26 28 The director may, without advertising for bids, enter into  
26 29 contracts or make provision for doing any of the work coming  
26 30 under the provisions of chapter 7A and sections 18.26 to  
26 31 ~~18.103~~ 18.100 at any school or institution under the ownership  
26 32 or control of the state. The work shall be done under  
26 33 conditions substantially the same as those provided for in the  
26 34 case of contracts with individuals and the same standard of  
26 35 quality or product shall be required.

27 1 Sec. 31. Section 18.50, Code 2003, is amended to read as  
27 2 follows:

27 3 18.50 EMERGENCY CONTRACTS.

27 4 The director may at any time award a separate printing  
27 5 contract or may authorize an assistant to award a separate  
27 6 printing contract for any work and materials or printing  
27 7 supplies within the provisions of chapter 7A and sections  
27 8 18.26 to ~~18.103~~ 18.100 which are not included in current  
27 9 printing contracts or which cannot properly be made the  
27 10 subject of a general contract. A separate printing contract  
27 11 must have been duly solicited by the director from vendors  
27 12 engaged in the kind of work under consideration who have  
27 13 indicated a desire to bid on the class of work to be  
27 14 performed.

27 15 Sec. 32. Section 18.59, subsection 5, Code 2003, is  
27 16 amended to read as follows:

27 17 5. To avoid duplication, overlapping, and redundancy of  
27 18 pamphlets and publications, other than legislative branch  
~~27 19 publications and official documents and books and publications~~  
27 20 authorized by ~~chapters 2B and~~ chapter 7A, to examine the  
27 21 contents of proposed pamphlets or publications and to approve  
27 22 or disapprove such pamphlets or publications only for such  
27 23 reason; and to effectuate this power, the director shall adopt  
27 24 rules for its administration.

27 25 Sec. 33. Section 18.75, subsections 6 and 8, Code 2003,  
27 26 are amended to read as follows:

~~27 27 6. Have legal custody of all Codes, session laws, books of~~  
~~27 28 annotations, tables of corresponding sections, publications,~~  
~~27 29 except premium lists published by the Iowa state fair board,~~  
~~27 30 containing reprints of statutes or administrative rules, or~~  
~~27 31 both, reports of state departments, and reports of the supreme~~  
~~27 32 court, and sell, account for, and distribute the same as~~

~~27 33 provided by law. However, the legislative service bureau  
27 34 shall solicit and process orders for the distribution of all  
27 35 printed Codes, session laws, administrative codes and  
28 1 bulletins, court rules, and the state roster.~~

28 2 8. By November 1 of each year supply a report which  
28 3 contains the name, gender, county, or city of residence when  
28 4 possible, official title, salary received during the previous  
28 5 fiscal year, base salary as computed on July 1 of the current  
28 6 fiscal year, and traveling and subsistence expense of the  
28 7 personnel of each of the departments, boards, and commissions  
28 8 of the state government except personnel who receive an annual  
28 9 salary of less than one thousand dollars. The number of the  
28 10 personnel and the total amount received by them shall be shown  
28 11 for each department in the report. All employees who have  
28 12 drawn salaries, fees, or expense allowances from more than one  
28 13 department or subdivision shall be listed separately under the  
28 14 proper departmental heading. On the request of the  
28 15 administrator, the head of each department, board, or  
28 16 commission shall furnish the data covering that agency. The  
28 17 report shall be distributed upon request ~~without charge~~  
28 18 electronically to each caucus of the general assembly, the  
28 19 ~~legislative service bureau, the legislative fiscal bureau~~  
28 20 services agency, the chief clerk of the house of  
28 21 representatives, and the secretary of the senate. Copies of  
28 22 the report shall be made available to other persons in ~~both~~  
~~28 23 print or electronic medium,~~ upon payment of a fee if  
~~28 24 appropriate,~~ which shall not exceed the cost of providing the  
28 25 copy of the report. Sections 22.2 through 22.6 apply to the  
28 26 report. All funds from the sale of the report shall be  
28 27 deposited in the general fund. Requests for publications  
28 28 shall be handled only upon receipt of postage by the  
28 29 administrator.

28 30 Sec. 34. Section 22.3A, subsection 2, paragraph a, Code  
28 31 2003, is amended to read as follows:

28 32 a. The amount charged for access to a public record shall  
28 33 be not more than that required to recover direct publication  
28 34 costs, including but not limited to editing, compilation, and  
28 35 media production costs, incurred by the government body in  
29 1 developing the data processing software, and preparing the  
29 2 data processing software for transfer to the person. The  
29 3 amount shall be in addition to any other fee required to be  
29 4 paid under this chapter for the examination and copying of a  
29 5 public record. If a person accesses a public record stored in  
29 6 an electronic format that does not require formatting,  
29 7 editing, or compiling to access the public record, the charge  
29 8 for providing the accessed public record shall not exceed the  
29 9 reasonable cost of accessing that public record. The  
29 10 government body shall, if requested, provide documentation  
29 11 which explains and justifies the amount charged. This  
29 12 paragraph shall not apply to any publication for which a price  
29 13 has been established pursuant to another section, including  
29 14 section ~~7A.22~~ 2E.5.

29 15 Sec. 35. Section 25B.5, Code 2003, is amended to read as  
29 16 follows:

29 17 25B.5 COST ESTIMATES == NOTATION IN ACTS.

29 18 1. When a bill or joint resolution is requested, the  
29 19 ~~legislative service bureau~~ services agency shall make an  
29 20 initial determination of whether the bill or joint resolution  
29 21 may impose a state mandate. If a state mandate may be  
29 22 included, that fact shall be included in the explanation of  
29 23 the bill or joint resolution.

29 24 2. If a bill or joint resolution may include a state  
29 25 mandate, ~~a copy of the prepared draft shall be sent to the~~  
29 26 ~~legislative fiscal bureau which~~ services agency shall  
29 27 determine if the bill or joint resolution contains a state  
29 28 mandate. If the bill or joint resolution contains a state  
29 29 mandate and is still eligible for consideration during the  
29 30 legislative session for which the bill or joint resolution was  
29 31 drafted, the legislative ~~fiscal bureau~~ services agency shall  
29 32 prepare an estimate of the amount of costs imposed.

29 33 3. If a bill or joint resolution containing a state  
29 34 mandate is enacted, unless the estimate already on file with  
29 35 the house of origin is sufficient, the legislative ~~fiscal~~  
~~30 1 bureau~~ services agency shall prepare a final estimate of  
30 2 additional local revenue expenditures required by the state  
30 3 mandate and file the estimate with the secretary of state for  
30 4 inclusion with the official copy of the bill or resolution to  
30 5 which it applies. A notation of the filing of the estimate  
30 6 shall be made in the Iowa Acts of the general assembly  
30 7 published pursuant to chapter 2B.

30 8 Sec. 36. Section 97D.4, subsection 4, unnumbered paragraph

30 9 2, Code 2003, is amended to read as follows:

30 10 Administrative assistance shall be provided by the  
30 11 legislative ~~service bureau and the legislative fiscal bureau~~  
30 12 ~~services agency.~~

30 13 Sec. 37. Section 256.53, Code 2003, is amended to read as  
30 14 follows:

30 15 256.53 STATE PUBLICATIONS.

30 16 Upon issuance of a state publication in any format, a state  
30 17 agency shall deposit with the division at no cost to the  
30 18 division, seventy-five copies of the publication or a lesser  
30 19 number if specified by the division, except as provided in  
30 20 section 2E.6.

30 21 Sec. 38. Section 331.502, subsection 3, Code 2003, is  
30 22 amended by striking the subsection.

30 23 Sec. 39. Section 602.1204, subsection 3, Code 2003, is  
30 24 amended to read as follows:

30 25 3. The supreme court shall compile and publish all  
30 26 procedures and directives relating to the supervision and  
30 27 administration of the internal affairs of the judicial branch,  
30 28 and shall distribute a copy of the compilation and all  
30 29 amendments to each operating component of the judicial branch.  
30 30 ~~Copies also shall be distributed to agencies referred to in~~  
30 31 ~~section 18.97 upon request.~~

30 32 Sec. 40. Sections 2.14, 2.16, 2.35, 2.45, 2.61, 2D.3, 3.2,  
30 33 7A.11, 15E.111, 23A.2A, 28B.1, 28B.4, 42.2, 42.3, 42.6, 49.7,  
30 34 275.23A, 331.209, and 602.4202, Code 2003, are amended by  
30 35 striking from the sections the words "legislative service  
31 1 bureau" and "bureau" when referring to the legislative service  
31 2 bureau and inserting in lieu thereof the words "legislative  
31 3 services agency".

31 4 Sec. 41. Sections 2.46, 2.51, 2B.10, 7E.5A, 8.23, 8.35A,  
31 5 8.44, 8.46, 8.55, 8.61, 8.62, 8E.209, 8E.301, 12E.13, 14B.103,  
31 6 14B.105, 14B.206, 15.113, 15.343, 18.16A, 18.16B, 80E.1,  
31 7 97B.17, 135.11, 161D.8, 161D.13, 217.12, 237.18, 255.24A,  
31 8 260C.66, 261.22, 261.25, 262.64A, 262A.13, 263A.11, 263A.13,  
31 9 266.39D, 266.39F, 292.2, 294A.19, 307.20, 307.40, 307.46,  
31 10 307.47, 327J.3, 384.3, 403.23, 404A.5, 421.17, 422.72,  
31 11 455B.183A, 455G.4, 505.7, 524.207, 533.67, 602.1301, 602.1302,  
31 12 602.8108, 904.116, 904.706, 905.6, 905.8, and 906.5, Code  
31 13 2003, are amended by striking from the sections the words  
31 14 "legislative fiscal bureau" and inserting in lieu thereof the  
31 15 words "legislative services agency".

31 16 Sec. 42. CODE EDITOR'S DIRECTIVE. The Code editor shall  
31 17 correct any references to the legislative services agency as  
31 18 the successor to the legislative service bureau, legislative  
31 19 fiscal bureau, and computer support bureau, including  
31 20 grammatical constructions, anywhere else in the Iowa Code, in  
31 21 any bills awaiting codification, and in any bills enacted by  
31 22 the Eightieth General Assembly, 2003 Regular Session.

31 23 Sec. 43. Sections 2.48, 2.49, 2.50, 2.52, 2.55, 2.55A,  
31 24 2.58, 2.59, 2.60, 2.64, 2.65, 2.66, 2.67, 2.100, 2.101, 2.102,  
31 25 2.103, 2.104, 7A.15, 7A.16, 7A.17, 7A.18, 7A.19, 7A.21, 7A.22,  
31 26 7A.25, 7A.26, 18.86, 18.87, 18.88, 18.89, 18.90, 18.95, 18.96,  
31 27 18.97, 18.97A, 18.101, 18.102, and 18.103, Code 2003, are  
31 28 repealed.

31 29 Sec. 44. EFFECTIVE DATE. This Act, being deemed of  
31 30 immediate importance, takes effect upon enactment.

31 31 EXPLANATION

31 32 This bill relates to legislative branch consolidation of  
31 33 certain of its functions.

31 34 CONSOLIDATED AGENCY. The bill creates a single,  
31 35 nonpartisan legislative services agency by combining the  
32 1 functions and duties of the legislative service bureau,  
32 2 legislative fiscal bureau, and legislative computer support  
32 3 bureau. The bill provides for continued oversight of the new  
32 4 agency by the legislative council. State agencies are  
32 5 required to provide information, including certain  
32 6 confidential fiscal and oversight information, needed by the  
32 7 agency to fulfill its responsibilities. The director retains  
32 8 subpoena authority to enforce access to such fiscal and  
32 9 oversight information. Employees of the legislative services  
32 10 agency are protected from being compelled to give testimony or  
32 11 to appear and produce documentary evidence in a judicial or  
32 12 quasi-judicial proceeding if the testimony or documentary  
32 13 evidence sought relates to a legislative duty or act performed  
32 14 by the employee.

32 15 LEGISLATIVE SERVICE BUREAU FUNCTIONS. The bill transfers  
32 16 the legislative service bureau's legal analysis, legal  
32 17 drafting, congressional and legislative redistricting, legal  
32 18 publications, standing, statutory, and interim committee  
32 19 staffing, legislative information, legislative visitor

32 20 protocol, and capitol tour guide responsibilities to the new  
32 21 agency. With respect to legal and legislative analysis, the  
32 22 bill preserves the current statutory requirement that such  
32 23 analysis not contain public policy recommendations. Legal  
32 24 analysis is required to be provided through the exercise of  
32 25 attorney-employees' independent, professional judgment.

32 26 LEGISLATIVE FISCAL BUREAU FUNCTIONS. The bill transfers  
32 27 the legislative fiscal bureau's state expenditure, revenue,  
32 28 and budget review and analysis, fiscal note preparation,  
32 29 revenue and budget, statutory, standing committee and  
32 30 subcommittee, and interim committee staffing, and program  
32 31 evaluation responsibilities to the new agency. With respect  
32 32 to the budget and revenue committees, the bill preserves the  
32 33 current statutory authority of the legislative fiscal bureau  
32 34 to advise the committees when requested, and to make inquiries  
32 35 and suggestions with respect to state agency budget hearings.

33 1 The bill strikes the requirement of the legislative fiscal  
33 2 bureau to conduct every five years an economic cost-benefit  
33 3 analysis of each quality jobs enterprise zone.

33 4 COMPUTER SUPPORT BUREAU FUNCTIONS. The bill transfers the  
33 5 computer support bureau's legislative computer systems  
33 6 responsibilities to the new agency.

33 7 ADMINISTRATIVE RULES REVIEW COMMITTEE LEGAL ASSISTANCE.  
33 8 The bill transfers to the new agency the responsibility of  
33 9 providing legal assistance to the administrative rules review  
33 10 committee.

33 11 OFFICIAL LEGAL PUBLICATIONS AND PROCUREMENT. The bill  
33 12 authorizes the legislative services agency to set prices for  
33 13 publication of the official versions of the Iowa Code, Iowa  
33 14 Code Supplement, Iowa Acts, Iowa court rules, Iowa  
33 15 administrative bulletin, and Iowa administrative code. The  
33 16 bill updates the editorial powers and duties of the Iowa Code  
33 17 and administrative code editors in Code chapters 2B and 7E.  
33 18 The effective date for editorial changes to the Iowa Code is  
33 19 set on the date of approval by the Iowa Code editor of the  
33 20 final press proofs for the statutory text of the Iowa Code.  
33 21 The statutory provisions governing the distribution of these  
33 22 official printed legal publications at no cost or at a price  
33 23 covering distribution costs to state and local public  
33 24 officials and offices are amended to continue providing the  
33 25 distribution of these publications while attempting to  
33 26 substitute more electronic publications for the printed  
33 27 publications. The authorization to require some payment for  
33 28 otherwise no-cost or distribution-cost copies is retained for  
33 29 the legislative services agency. Procurement authority is  
33 30 provided for the legislative services agency. The current  
33 31 sales tax exemption for certain items sold by the legislative  
33 32 service bureau is applied to items sold or services provided  
33 33 by the legislative services agency.

33 34 SENATE AND HOUSE PUBLICATIONS. The bill provides that the  
33 35 senate and house of representatives shall each publish and  
34 1 determine procurement procedures for the publication of their  
34 2 journals, bills, and amendments, and determine their  
34 3 distribution. The bill repeals provisions in Code chapters 7A  
34 4 and 18 relating to the state printing administrator's  
34 5 responsibility for printing journals and bills and relating to  
34 6 specific distribution requirements for the journals, official  
34 7 registers, and bills with respect to members of the general  
34 8 assembly, libraries, newspapers, county auditors, and the  
34 9 public.

34 10 NONPARTISANSHIP AND LEGISLATIVE PRIVILEGES. Employees of  
34 11 the new agency are prohibited from participating in partisan  
34 12 political activities and shall not be identified as advocates  
34 13 or opponents of issues subject to legislative debate except as  
34 14 otherwise provided by law or by the legislative council.  
34 15 Services provided by the new agency are required to be  
34 16 provided in a manner so as to preserve the independence of the  
34 17 general assembly as a constitutional body and to protect the  
34 18 legislative privileges of the members and employees.

34 19 DIRECTOR OF CONSOLIDATED AGENCY. The director of the  
34 20 agency is to be appointed by the legislative council. The  
34 21 director supervises all functions and employees and outside  
34 22 service providers of the new agency.

34 23 The director of the new agency or the director's designee  
34 24 is named a member of the state revenue estimating conference  
34 25 in Code chapter 8 and of the petroleum underground storage  
34 26 tank fund board as is currently the case with the director of  
34 27 the legislative fiscal bureau.

34 28 CODE REFERENCES AMENDED. Additional references in the Code  
34 29 to the three separate legislative agencies are changed by an  
34 30 alternative drafting style that references all Code sections

34 31 in which the current agency names are to be changed to the new  
34 32 agency's name.

34 33 References to the legislative service bureau relate to the  
34 34 following subject matters in the following Code sections:  
34 35 performance of legislative functions, including legislative  
35 1 standing committee staffing, drafting of state agency and  
35 2 governor bills, preparation of legal and legislative research,  
35 3 communications review committee staffing, employment of a  
35 4 legislative branch protocol officer, bill drafting protocols,  
35 5 filing of documents with the general assembly, private  
35 6 industry competition notations in bills, interstate  
35 7 cooperation commission staffing and expenses, congressional  
35 8 and legislative redistricting, county, city, and school  
35 9 district redistricting assistance, and supreme court rule  
35 10 drafting protocols (Code sections 2.14, 2.16, 2.35, 2.61,  
35 11 2D.3, 3.2, 7A.11, 23A.2A, 28B.1, 28B.4, 42.2, 42.3, 42.6,  
35 12 49.7, 275.23A, 331.209, and 602.4202); and receipt of  
35 13 information or reports (Code section 15E.111).

35 14 References to the legislative fiscal bureau relate to the  
35 15 following subject matters in the following Code sections:  
35 16 performance of legislative functions, including state mandate  
35 17 notation, legislative visitation committee staffing, lease=  
35 18 purchase notifications, confidential receipt of IPERS  
35 19 information, access to tax information, petroleum underground  
35 20 storage tank fund board membership (Code sections 2.51, 2B.10,  
35 21 8.22A, 8.23, 8.35A, 8.46, 97B.17, 422.72, and 455G.4); and  
35 22 receipt of notification of executive and judicial branch  
35 23 actions; receipt of information, reports, or formal  
35 24 submissions; and required consultation or coordination (Code  
35 25 sections 2.46, 7E.5A, 8.23, 8.35A, 8.44, 8.46, 8.55, 8.61,  
35 26 8.62, 8E.209, 8E.301, 12E.13, 14B.103, 14B.105, 14B.206,  
35 27 15.113, 15.343, 18.16A, 18.16B, 80E.1, 135.11, 161D.8,  
35 28 161D.13, 217.12, 237.18, 255.24A, 260C.66, 261.22, 261.25,  
35 29 262.64A, 262A.13, 263A.11, 263A.13, 266.39D, 266.39F, 292.2,  
35 30 294A.19, 307.20, 307.40, 307.46, 307.47, 327J.3, 384.3,  
35 31 403.23, 404A.5, 421.17, 455B.183A, 505.7, 524.207, 533.67,  
35 32 602.1301, 602.1302, 602.8108, 904.116, 904.706, 905.6, 905.8,  
35 33 and 906.5).

35 34 REPEALS. The bill repeals numerous sections in Code  
35 35 chapter 2 relating to the general assembly, the contents of  
36 1 which are transferred, for the most part, to new Code chapter  
36 2 2E. The bill also repeals several sections in Code chapters  
36 3 7A and 18 relating to official publications, the contents of  
36 4 which are transferred, in part, to new Code chapter 2E.

36 5 EFFECTIVE DATE. The bill takes effect upon enactment.

36 6 LSB 1164YC 80  
36 7 rj/cf/24.10